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In re Application of : DECISION ON RENEWED  
Lehmann et al :  
Application No.: 10/009131 :  
PCT No.: PCT/EP00/03860 :  
Int. Filing Date: 28 April 2000 : PETITION UNDER  
Priority Date: 06 May 1999 :  
Attorney's Docket No.: SMB-PT036 :  
For: DEVICE FOR PERFORMING ANALYSES : 37 CFR 1.47(a)  
ON CELL-CULTURES :  
:

This decision is in response to applicant's " SECOND RENEWED PETITION UNDER 37 CFR 1.47(a)" filed on 13 November 2003 in response to a decision by this Office dated 30 September 2003.

### BACKGROUND

The decision by this Office dated 30 September 2003 indicated that requirements (2)-(4) had not been satisfied. In addition, the decision stated that the Declaration provided was defective since it was not complete.

On 13 November 2003, petitioner filed this renewed petition accompanied, *inter alia*, an executed declaration by all the inventors.

### DISCUSSION

The second renewed petition states subsequent to the date of the Decision, Bernhard Wolf, executed a declaration. The declaration is now signed by all the inventors.

Accordingly, the declaration submitted on 13 November 2003 complies with 37 CFR 1.497(a) and (b).

### CONCLUSION

The petition under 37 CFR 1.47(a) is **MOOT**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is 13 November 2003



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